

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

MELISSA ANN WRIGHT, Court Appointed  
Guardian of BROGAN ZANE WRIGHT,  
KAREN REIGER, and MIKE REIGER,

Plaintiffs,

vs.

WATKINS AND SHEPARD TRUCKING, INC.,  
a Montana corporation; GREGORY ANDREW  
BRITT, an individual,

Defendants.

Case No. 2:11-cv-1575-LRH-GWF

**ORDER**

This matter comes before the Court on Defendants Watkins and Shepard and Gregory Britt's ("Defendants") Emergency Motion for Protective Order (#70), filed on October 4, 2013. The Motion seeks a protective order against certain discovery requests Plaintiffs have propounded during the limited extension of discovery in this case. That discovery period is currently scheduled to close on October 28, 2013. *See August 19, 2013 Scheduling Order, Doc. #67.* Therefore, the Court will hear Defendants' Motion (#70) on an expedited basis.

Defendants also filed an Ex Parte Motion for Order Shortening Time for Briefing (#71) for its Motion for Protective Order. An *ex parte* motion or application is one that is filed with the Court, but is not served upon the opposing or other parties. *See Local Rule 7-5(a).* All *ex parte* motions must contain a statement showing good cause why the matter was submitted to the Court without notice to all parties. *See Local Rule 7-5(b).* *Ex parte* and emergency motions are distinct. Motions may be submitted *ex parte* only for compelling reasons, and not for emergency motions. *See Local Rule 7-5(b).* Emergency motions must be so titled, must state the nature of the emergency, and must certify that good-faith efforts were made to resolve the dispute without Court

1 action. *See* Local Rule 7-5(d)(1)-(3). Defendants are instructed to adhere to the different rules  
2 governing these distinct motions in further filings with the Court.

3 **IT IS HEREBY ORDERED** that Plaintiffs shall file any responses to Defendants' Motion  
4 for Protective Order (#70) on or before **October 18, 2013**.

5 **IT IS FURTHER ORDERED** that Defendants shall file any reply to any response on or  
6 before **October 23, 2013**.

7 **IT IS FURTHER ORDERED** that the Court will conduct a hearing on the Motion (#70)  
8 on **October 29, 2013 at 9:30 AM** in LV Courtroom 3A.

9 **IT IS FURTHER ORDERED** that the discovery responses and depositions at issue in the  
10 Motion (#70) shall be stayed pending the Court's ruling on the Motion. In the event the Motion is  
11 denied in whole or in part, the Court shall provide additional time in which to complete the  
12 discovery.

13 **IT IS FURTHER ORDERED** that, in light of the above, Defendants' Ex Parte Motion for  
14 Order Shortening Time (#71) is **denied** as moot.

15 DATED this 7th day of October, 2013.

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18 GEORGE FOLEY, JR.  
United States Magistrate Judge  
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